

Atty Dkt. No.: CLON-094  
USSN: 10/806,930

### AMENDMENTS

#### In the claims:

1. (Currently Amended) A nucleic acid encoding a polypeptide product comprising a first and second chromo/fluorescent domain, ~~optionally joined by a linking domain~~, wherein said first and second chromo/fluorescent domains associate with each other under intracellular conditions so that said encoded polypeptide assumes a tertiary structure.
2. (Original) The nucleic acid according to Claim 1, wherein said first and second chromo/fluorescent domains are oligomeric producing domains.
3. (Original) The nucleic acid according to Claim 2, wherein said chromo/fluorescent domains are chromo-or fluorescent proteins from a Cnidarian species or mutants of chromo-or fluorescent proteins from a Cnidarian species.
4. (Original) The nucleic acid according to Claim 3, wherein said Cnidarian species is a non-bioluminescent Cnidarian species.
5. (Original) The nucleic acid according to Claim 4, wherein said non-bioluminescent Cnidarian species is an Anthozoan species.
6. (Original) The nucleic acid according to Claim 1, wherein said nucleic acid encodes a fusion protein of said first and second chromo/fluorescent domains fused to a non-chromo/fluorescent protein domain.
7. (Original) A construct comprising a vector and a nucleic acid according to Claim 1.
8. (Original) An expression cassette comprising:
  - (a) a transcriptional initiation region functional in an expression host;

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- (b) a nucleic acid according to Claim 1; and
- (c) a transcriptional termination region functional in said expression host.

9. (Original) A cell, or the progeny thereof, comprising an expression cassette according to Claim 8 as part of an extrachromosomal element or integrated into the genome of a host cell as a result of introduction of said expression cassette into said host cell.

10. (Original) A method of producing a polypeptide product comprising a first and second chromo/fluorescent domain, said method comprising:  
growing a cell according to Claim 9, whereby said polypeptide product is expressed.

Claims 11-15. (Canceled)

16. (Withdrawn) In an application that employs a nucleic acid encoding a chromo- or fluorescent protein, the improvement comprising:  
employing a nucleic acid according to Claim 1.

17. (Original) A kit comprising a nucleic acid according to Claim 1.

Please add the following new claims:

18. (New) A nucleic acid encoding a polypeptide product comprising a first and second chromo/fluorescent domain, wherein said first and second chromo/fluorescent domains are oligomeric producing domains and associate with each other under intracellular conditions so that said encoded polypeptide assumes a tertiary structure.

19. (New) The nucleic acid according to Claim 18, wherein said chromo/fluorescent domains are chromo- or fluorescent proteins from a Cnidarian species or mutants of chromo- or fluorescent proteins from a Cnidarian species.

20. (New) The nucleic acid according to Claim 19, wherein said Cnidarian species is

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a non-bioluminescent Cnidarian species.

21. (New) The nucleic acid according to Claim 20, wherein said non-bioluminescent Cnidarian species is an Anthozoan species.

22. (New) The nucleic acid according to Claim 18, wherein said nucleic acid encodes a fusion protein of said first and second chromo/fluorescent domains fused to a non-chromo/fluorescent protein domain.

23. (New) A construct comprising a vector and a nucleic acid according to Claim 18.

24. (New) An expression cassette comprising:

- (a) a transcriptional initiation region functional in an expression host;
- (b) a nucleic acid according to Claim 18; and
- (c) a transcriptional termination region functional in said expression host.

25. (New) A cell, or the progeny thereof, comprising an expression cassette according to Claim 24 as part of an extrachromosomal element or integrated into the genome of a host cell as a result of introduction of said expression cassette into said host cell.

26. (New) A method of producing a polypeptide product comprising a first and second chromo/fluorescent domain, said method comprising:

growing a cell according to Claim 25, whereby said polypeptide product is expressed.